

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR-09-00958 SBA
Plaintiff,) ORDER GRANTING STIPULATED
v.) REQUEST TO SET CHANGE OF PLEA
ISAIAH MCGARY,) AND SENTENCING ON SEPTEMBER 28,
Defendant.) 2010 AND TO EXCLUDE TIME UNDER
) THE SPEEDY TRIAL ACT
)
) Date: June 8, 2010
) Time: 9:00 a.m.
) Court: Hon. Saundra Brown
) Armstrong
)

The parties jointly requested that the status conference in this matter be vacated and that this matter be set for change of plea and sentencing on September 28, 2010 at 10:00 a.m. The parties further requested that time be excluded under the Speedy Trial Act between June 7, 2010 and September 28, 2010 to allow time for the Court to consider the proposed plea agreement to be entered into by the defendant and the attorney for the government, and to allow time for the preparation of a Presentence Investigation Report by the United States Probation Office. The defendant agreed that the Court may review the pre-plea Presentence Investigation Report although he has not yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON SEPTEMBER 28, 2010 & TO EXCLUDE TIME
No. CR-09-00958 SBA

1 **IT IS HEREBY ORDERED** that this matter is set for change of plea and sentencing on
2 September 28, 2010 at 10:00 a.m., and that time between June 8, 2010 and September 28, 2010
3 is excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G),
4 for consideration by the Court of a proposed plea agreement to be entered into by the defendant
5 and the attorney for the government.

6 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
7 Presentence Investigation Report.

8
9 DATED: 6/8/10

Saundra B. Armstrong
10 HON. SAUNDRA BROWN ARMSTRONG
11 United States District Judge